

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:)
)
PAMELA SMITH) **CASE NO. 18-15017 JDL**
) **CHAPTER 13**
DEBTOR)

**MOTION TO SELL PROPERTY FREE AND CLEAR OF LIENS AND ENCUMBRANCES
AND BRIEF IN SUPPORT THEREOF
WITH NOTICE AND OPPORTUNITY FOR HEARING
AND NOTICE OF HEARING**

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. **If you do not want to the Court to grant the relief requested, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Ave., Oklahoma City, OK 73102, no later than 21 days from the date of this pleading.** You should also serve a file stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 21-day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f)

NOTICE OF HEARING

A hearing on Debtor's Motion to Sell Property Free and Clear of Liens and Encumbrances shall be held on June 30, 2021, at 10:00 a.m. The location shall be the courtroom of the Honorable Janice D. Loyd, 2nd Floor Courtroom, 215 Dean A. McGee Ave., Oklahoma City, Oklahoma 73102.

COMES NOW Debtor Paula Puckett and respectfully requests that this Court allow her to sell property free and clear of liens and encumbrances pursuant to 11 USC §1303, which grants debtors the right to sell property pursuant to 11 USC §363(f). In support, Debtor states as follows:

1. Debtor owns certain real estate described as:

1327 Canterbury Blvd.
Altus, OK 73521

Legal description:

English Village Blk 4 Lot 31, Jackson County, State of Oklahoma

2. The real estate has been identified in Debtor's Schedule A and is not exempt because Debtor maintains a separate homestead. Debtor owns a one-third interest in such real estate by way of inheritance.
3. Debtor proposes to sell the property free and clear of any liens and encumbrances, and respectfully requests the Court's permission to do so. Debtor requests that her interest in proceeds from the sale be delivered directly by the Bailey's Abstract and Title Company to the Chapter 13 Trustee to pay claims on file in this case, including unsecured claims.
4. The sale is scheduled for July 1, 2021.
5. Eleven USC 1303 allows debtors in Chapter 13 to sell property free and clear of liens and encumbrances pursuant to 11 USC 363(f). Debtor's proposed sale complies in all respects that that provision of the Bankruptcy Code.
6. A copy of the contract for sale is attached hereto.

WHEREFORE, premises considered, Debtors respectfully request that this Court allow her to sell the above-described property free and clear of any liens and encumbrances, that the funds for Debtor's interest in the sale be paid directly to the Chapter 13 Trustee for distribution to claims

secured by such property, and then to priority and unsecured creditors. Debtor further requests any other relief to which she may be entitled at equity or law.

Respectfully submitted:

S/ MIKE ROSE
Mike Rose, OBA No. 15523
4101 Perimeter Center Drive, Suite 120
Oklahoma City, OK 73112
405 / 605-3757 telephone
405 / 605-3758 facsimile
michaeljrosepc@gmail.com
ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

Undersigned certifies that on 6-7-21, the foregoing document was served, via United States Mail, 1st class postage pre-paid, and properly addressed to the following:

All creditors and on the attached mailing matrix

s/ MIKE ROSE
Mike Rose

Label Matrix for local noticing

1087-5

Case 18-15017

Western District of Oklahoma

Oklahoma City

Thu Feb 21 17:19:39 CST 2019

USBC Western District of Oklahoma

215 Dean A. McGee

Oklahoma City, OK 73102-3426

AT&T CORP

by American InfoSource as agent

4515 N Santa Fe Ave

Oklahoma City, OK 73118-7901

(p) CAPITAL ONE

PO BOX 30285

SALT LAKE CITY UT 84130-0285

Capital One Bank (USA), N.A.

4515 N Santa Fe Ave

Oklahoma City, OK 73118-7901

Capital One, N.A.

c/o Becket and Lee LLP

PO Box 3001

Malvern PA 19355-0701

Comenitycb/ulta

Po Box 182120

Columbus OH 43218-2120

(p) INTERNAL REVENUE SERVICE

CENTRALIZED INSOLVENCY OPERATIONS

PO BOX 7346

PHILADELPHIA PA 19101-7346

Kohls/capone

N56 W 17000 Ridgewood Dr

Menomonee Falls WI 53051-7096

Midland Funding

2365 Northside Dr Ste 30

San Diego CA 92108-2709

Midland Funding LLC

PO Box 2011

Warren, MI 48090-2011

Nationstar Mortgage, LLC d/b/a Mr. Cooper

Bankruptcy Department

PO Box 619096

Dallas, TX 75261-9096

Nationstar/mr Cooper

350 Highland

Houston TX 77009-6623

Oklahoma Tax Commission

Attn Anna Wyatt

Assistant General Counsel

100 North Broadway, Ste 1500

Oklahoma City OK 73102-8601

Oklahoma Tax Commission

Attn: Bankruptcy Division

100 North Broadway Ave., Ste 1500

Oklahoma City OK 73102-8601

(p) OKLAHOMA TAX COMMISSION

GENERAL COUNSEL S OFFICE

100 N BROADWAY AVE SUITE 1500

OKLAHOMA CITY OK 73102-8601

OneMain Financial

PO BOX 3251

EVANSVILLE, IN 47731-3251

Onemain

Po Box 1010

Evansville IN 47706-1010

Quantum3 Group LLC as agent for

Comenity Capital Bank

PO Box 788

Kirkland, WA 98083-0788

Shapiro & Cejda, LLC

770 NE 63rd St

Oklahoma City OK 73105-6423

US Attorney's Office/Oklahoma

210 Park Ave., #400

Oklahoma City OK 73102-5628

United States Trustee

United States Trustee

215 Dean A. McGee Ave., 4th Floor

Oklahoma City, OK 73102-3479

Walters Coop c/o Hyman Copeland

117 N Broadway St

Walters OK 73572-1257

John T. Hardeman

PO Box 1948

Oklahoma City, OK 73101-1948

Mike J Rose

4101 Perimeter Center Drive

Suite 120

Oklahoma City, OK 73112-2309

Pamela Ranae Smith

117 English Drive

Oklahoma City, OK 73160-6932

Capital One
15000 Capital One Dr
Richmond VA 23238

Internal Revenue Service
PO Box 745
District Director
Chicago IL 60690

Oklahoma Tax Commission
Attn: Bankruptcy Division
120 N Robinson Ste 2000
Oklahoma City OK 73102

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(u) Nationstar Mortgage LLC d/b/a Mr. Cooper

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